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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,186	07/09/2001	Kouichi Narahara	R2184.0106/P106	5750
24998	7590	12/07/2005	EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP			HILLERY, NATHAN	
2101 L Street, NW			ART UNIT	
Washington, DC 20037			PAPER NUMBER	

2176

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

09/900,186

Applicant(s)

NARAHARA, KOUICHI

Examiner

Nathan Hillery

Art Unit

2176

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 23 November 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 1-3 and 52-83.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

  
**WILLIAM BASHORE  
PRIMARY EXAMINER**

Continuation of 3. NOTE: the amendment(s) to the claims do not clarify nor simplify the issues. The amendment must be considered to ensure it overcomes all formal matters old and new, especially with respect to any potential antecedent basis in a nested dependent claim. Thus, the new limitation(s) would require further search and/or consideration..

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments filed 11/23/05 have been fully considered but they are not persuasive. In response to applicant's argument that the references fail to disclose, teach, or suggest evaluating a degree of significance for each element; adding a result of the evaluation to the tree structure, Applicant has not fully and explicitly stated how the Orion preferences of the prior art are different in nature of information from the degree of significance recited in claim 1. Using the broadest most reasonable interpretation, the Office maintains the comparison between the prior art and the claim limitation(s) as outlined in the Final rejection dated 8/23/05. In response to applicant's argument that the references fail to disclose, teach, or suggest generating the output document by reducing an information content of the input document information according to the result added to the tree structure, it should be noted that one of ordinary skill in the art at the time of the invention is well-aware that HTML, by definition, contains presentation data that is attached to the content it describes; whereas, XML simply describes the data it self. As is further evidenced by the definition of XML, WhatIs.com defines that XML, a formal recommendation from the World Wide Web Consortium (W3C), is similar to the language of today's Web pages, the Hypertext Markup Language (HTML). Both XML and HTML contain markup symbols to describe the contents of a page or file. HTML, however, describes the content of a Web page (mainly text and graphic images) only in terms of how it is to be displayed and interacted with. XML describes the content in terms of what data is being described (whatIs.com). In response to Applicant's inquiry of claim 66 not being mentioned in connection with the prior art, it should be noted that the present confusion stems from a minor oversight of the Office and claim 66 is meant to be listed in the rejection under 35 USC 103(a) as being unpatentable over Brobst et al. (US 6061700 A) and further in view of IBM (NNRD 423111). Not only were all the limitations of each claim pending in the case rejected under 35 USC 103(a) in the Final Office action dated 8/23/05, but, by Applicant's own admission claims 66 - 83 recite limitations similar to claims 1 - 3, and 52 - 65 (p12). Furthermore, claims 66 - 83 were and still are deemed to incorporate substantially similar subject matter as claims 1 - 3, and 52 - 65 and were and still are rejected under the same rationale.

*William L. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**  
12/5/2005